

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-005892-001 DT

12/10/2012

COMMISSIONER BRIAN S. REES

CLERK OF THE COURT
E. Canas
Deputy

STATE OF ARIZONA

MJC2 SEX CRIMES COUNTY
ATTORNEY

v.

JOSHUA BARNEY (001)

PHILLIP G NOLAND

Custody Status: Jail/\$10,000 Bond + PSA
(Electronic Monitor removed)

PRETRIAL SERVICES AGENCY-CCC

NOT GUILTY ARRAIGNMENT

9:36 a.m.

Courtroom 3C-South Court Tower

State's Attorney:	JoAnn Sakato for Leonard Ruiz
Defendant's Attorney:	Above-named counsel
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

IT IS ORDERED entering a Not Guilty Plea to all charges on behalf of the Defendant at this time.

In preparation for the Initial Pretrial Conference (IPTC), the parties shall do the following:

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1. The defense attorney shall conduct a conflicts check within the office to determine whether a conflict exists. If a conflict exists, counsel shall staff the conflict with the appropriate supervisor, and counsel shall file the appropriate Motion to Withdraw so new counsel can appear at the Initial Pretrial Conference.

2. Motions to Modify Release Conditions shall be heard at the Initial Pretrial Conference. Motions shall be filed with the assigned Commissioner not later than 10 days prior to the Initial Pretrial Conference.

3. If a plea agreement is extended by the State, the State shall extend the plea not later than 10 days before the Initial Pretrial Conference. Defense Counsel shall make reasonable efforts to present the plea to in custody defendants before the Initial Pretrial Conference.

4. Motion for Rule 11 Evaluations shall be heard at the Initial Pretrial Conference. Motions shall be filed with the assigned Commissioner not less than 10 days before the Initial Pretrial Conference.

5. Defense Counsel shall prepare and file a List of Specific Items of Discovery required under Rule 15.1 (b), but which were not disclosed. See Rule 15.2(e). Such list shall be filed with the assigned Commissioner not less than 5 days before the Initial Pretrial Conference.

6. All electronic media (audio tapes, CD's, etc.) or documents which require language translation shall be submitted to the Court Interpretation and Translation Department (CITS) on or before the IPTC hearing date.

ANY MOTION TO MODIFY RELEASE CONDITIONS, OR RULE 11 MOTIONS NOT FILED BEFORE THE INITIAL PRETRIAL CONFERENCE WILL BE HEARD AT THE COMPREHENSIVE PRETRIAL CONFERENCE BEFORE THE DESIGNATED MASTER CALENDAR JUDICIAL OFFICER. ALL MOTIONS SHALL BE IN WRITING WITH SPECIFIC FACTS TO SUPPORT THE MOTIONS.

This case is assigned to Judge R. Miles.

IT IS FURTHER ORDERED setting Initial Pretrial Conference for January 24, 2013, at 8:15 a.m. before Comm. Lynch.

Bench conference is held at the request of Defense Counsel.

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Court notes for the record that the Defendants release conditions are addressed and defense counsel is requesting the removal of the electronic monitoring for the reasons stated at the bench conference.

IT IS ORDERED granting and allowing the electronic monitoring to be removed only, Defendant shall remain on Pretrial Services. Defendant resides in Utah and shall report to pretrial services by phone twice a week. Court notes that these release conditions are subject to change over any objection from the victim.

IT IS ORDERED that the Defendant shall contact and meet with his/her attorney in person no later than three weeks from this date, for the purpose of preparing for the Initial Pretrial Conference.

NOTICE TO DEFENDANTS:

Failure to comply with the above orders may result in revocation of Defendant's release from custody and/or the imposition of other sanctions.

The Defendant may be tried in his/her absence if he/she fails to appear for trial.

LAST DAY: 05/03/2013.

9:46 a.m. Matter concludes.